

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

ROGER KNOX,

Defendant

Criminal Action No. 18-cr-10385-NMG

**ASSENTED TO MOTION OF DEFENDANT
ROGER KNOX TO MODIFY APPEARANCE BOND**

Defendant Roger Knox (“Knox”), with the assent of the United States of America, respectfully moves to modify the Appearance Bond entered into pursuant to the Order Setting Conditions of Release in this matter dated April 2, 2020 (the “Order”), by substituting a curfew for home detention and expressly permitting use of WhatsApp Messaging App for iOS. In support of this motion, Knox states as follows:

Curfew in Place of Home Detention

1. Paragraph 7(p) of the Order requires home detention. Knox has been fully compliant with his obligations with respect to home detention for 17 months. A curfew will allow Knox to pursue educational and employment opportunities pending sentencing. The United States Attorney’s Office assents to a curfew from 9:00 pm to 5:00 am in place of home detention. Accordingly, Knox requests that paragraph 7(p) of the Order be so modified.

WhatsApp Messaging App for iOS

2. The Order provides that Knox “is to avoid use of any encrypted messenger applications.” The commonly used messaging application, WhatsApp Messaging App for iOS, is encrypted. Use of WhatsApp Messaging App for iOS is necessary for Knox to adequately communicate with family and friends. The United States Attorney’s Office has assented to Knox’s use of WhatsApp Messaging App for iOS. Knox respectfully requests that the Order be so modified.
3. The United States Probation Department and Pretrial Services Office has confirmed that Knox has no substantive issues of non-compliance while on release and that it takes no position on the present motion.

WHEREFORE, Knox respectfully requests that this Court allow the present motion and enter an order modifying the Appearance Bond entered into pursuant to the Order Setting Conditions of Release in this matter dated April 2, 2020, by (a)amending the Appearance Bond

from home detention to a curfew from 9:00 pm to 5:00 am; and (b) expressly permitting Knox's use of WhatsApp Messaging App for iOS.

Respectfully,

ROGER KNOX
Defendant

By: /s/ Mark A. Berthiaume
John Pappalardo (BBO #388760)
Mark A. Berthiaume (BBO #041715)
GREENBERG TRAURIG, LLP
One International Place, 20th Floor
Boston, MA 02110
(617) 310-6000
(617) 310-6001 (fax)
E-mail: berthiaumem@gtlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2021, I served a copy of the foregoing on counsel of record in this case via electronic mail.

/s/ Mark A. Berthiaume
Mark A. Berthiaume

Date: September 9, 2021